

**IN THE UNITED STATES BANKRUPTCY COURT  
IN THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE:**  
**LATONYA BEARD**  
  
**5689 HIGHWAY 309 S**  
  
**BYHALIA MS 386119220**

**BANKRUPTCY NO: 07-13398**

**NOTICE AND MOTION TO DISMISS**

**COMES NOW**, Locke D. Barkley, the duly appointed and qualified Standing **TRUSTEE** in the above cause and moves to dismiss the above proceeding for the reason that the **DEBTOR** has failed to make payments into the plan as required by Chapter 13 of the Bankruptcy Code.

**NOTICE IS HEREBY GIVEN**, to the **DEBTOR** herein, that unless the below required sum is received by the **TRUSTEE**, or a written responsive pleading is filed with the Clerk of the Court with a copy to the **TRUSTEE** prior to the below depicted due date, the Chapter 13 proceeding of the above **DEBTORS** will be dismissed.

**WHEREFORE**, **TRUSTEE** moves this Court to enter its Order of Dismissal unless said sum is received as set out herein or said responsive pleading is properly filed.

**DATED: 3/19/09**

Locke D. Barkley  
Chapter 13 Trustee  
P.O. Box 321473  
Flowood Ms 39232-1473  
**(PAYMENTS ONLY)**

Locke D. Barkley  
Chapter 13 Trustee  
P. O. Box 55829  
Jackson Ms 39296-5829  
(601) 355-6661  
**(CORRESPONDENCE)**

**AMOUNT DUE: \$1714.00**  
(As of 3/17/09 thru end of March 2009)  
Plus accruing payments

**DATE DUE: 4/8/09**

**CERTIFICATE OF SERVICE**

I, Locke D. Barkley, Standing Trustee, do hereby certify that I have electronically filed the foregoing with the Clerk of Court using CM/ECF system, and hereby further certify that I have served a copy of the foregoing upon the debtor(s), debtor's attorney of record and to the Office of the U.S. Trustee via electronic notice or mail.

**DATED: 3/19/09**

/s/ Locke D Barkley  
**LOCKE D. BARKLEY**  
**CHAPTER 13 TRUSTEE**

**DEBTOR'S ATTORNEY**

**KAREN SCHNELLER**  
**JONES & SCHNELLER**  
**P O BOX 417**  
**HOLLY SPRINGS MS 386350417**